

REMARKS

Claims 1-8 are pending in this application. Claims 1, 3, 5, 6 and 7 have been rejected under 35 U.S.C. §102. Claims 2, 4 and 8 have been rejected under 35 U.S.C. §103. Reexamination and reconsideration are respectfully requested.

Rejection Under 35 U.S.C. §102

The Examiner has rejected Claims 1, 3, 5, 6 and 7 under 35 U.S.C. §102(e) as being clearly anticipated by Simone, U.S. Patent #6,202,090. This rejection is respectfully traversed.

Applicant's Claim 1 recites a fault management system for a switching equipment which includes a circuit section and a processor for performing setting and control of said circuit section and transmits and receives data to and from a terminal equipment or the like, comprising, *inter alia*, a concentrated fault management section operable when said fault detection section detects an unrecoverable fault for *continuously* signaling a reset signal for resetting said processor and said circuit section to said processor and said circuit section. This limitation is not disclosed or suggested in Simone.

Simone is directed toward an apparatus and method for downloading core file in a network device. Simone discloses an apparatus and method for saving core file after a fault condition occurs in a network. In Simone, any one of a variety of software or hardware faults could cause a shutdown event to occur, resulting in a reset. (Simone, column 4, lines 7-8.) However, in Simone, interrupts are not available to signal a reset when a fault occurs. In fact, when a fault condition occurs and a routine to copy and save flash core is invoked, Simone *disables* interrupts. (Simone, column 4, lines 27-36.) Thus, the opportunity to continuously reset the processor in Simone is not available. There are no interrupts available subsequent to a fault condition to signal a reset. In this regard, Simone actually teaches away from Applicant's Claim 1. Claim 1 is, therefore, allowable over Simone.

Claims 3, 5, 6 and 7 are either directly or indirectly dependent upon Claim 1 and are, thus, allowable for at least the same reasons as Claim 1.

Rejection Under 35 U.S.C. §103

The Examiner has rejected Claims 2, 4 and 8 under 35 U.S.C. §103(a) as being unpatentable over Simone in view of Nakamura, Japanese Patent #02226432. This rejection is respectfully traversed.

Claims 2, 4 and 8 depend either directly or indirectly from Claim 1 and, thus, include limitations not disclosed or suggested in Simone. In addition, Nakamura also does not disclosed or suggest a concentrated fault management section operable when said fault detection section detects an unrecoverable fault for *continuously* signaling a reset signal for resetting said processor and said circuit section to said processor and said circuit section.

Nakamura is directed toward a clock fault processing system that shortens the time required for investigating a fault by allowing clock fault detection circuits to detect clock abnormalities and also allowing a fault processing program to log a clock fault occurrence. In Nakamura, when a fault occurs in a clock signal, the fault is detected by the detection circuits which instruct an interrupt generator to generate an interrupt. Nakamura is not directed to network faults and does not disclosed or suggest the continuous signaling of a reset by a concentrated fault management section.

Accordingly, there are limitations in Claims 2, 4 and 8 that are not disclosed or suggested in either Simone or Nakamura, individually or in combination. Thus, a prima facie case of obviousness cannot be made against Claims 2, 4 and 8 using these references.

The Examiner is requested to acknowledge receipt and acceptance of the formal drawings and priority document filed with the application on June 7, 2000.

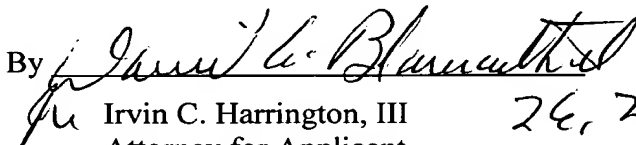
In view of the foregoing, favorable reconsideration of the application is respectfully requested. It is submitted that the claims of record are in condition for allowance.

Respectfully submitted,

Date: April 10, 2003

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By


Irvin C. Harrington, III
Attorney for Applicant
Registration No. 44,740

26, 257